

TO: Mayor and City Council
FROM: David Chanski, City Administrator/Clerk
RE: Ballot Question Information
DATE: February 5, 2024



There has been discussion going around the community whether the city hall decision should be a ballot question this fall. In preparation for that discussion, City Administrator Chanski conduct research as to the ballot question process to help inform the Council incase that's a direction you choose to go down. Such research included the Minnesota Secretary of State's Office, the League of Minnesota Cities, and even reaching out to Crow Wing County Administrative Services Director Debby Erickson, who is one of the most respected election officials in the State.

State Statute is rather specific about what items can be placed on a ballot and the requirements for them to be placed on the ballot. The decision whether or not to build (or remodel) a city hall would be considered an "advisory election." Unfortunately, "advisory elections" are prohibited in Minnesota. Quoting the League of Minnesota Cities on Page 6 of the attached informational memo on special elections, "Voters and city councils often ask about holding an advisory election on controversial or politically sensitive decisions. Statutory cities can only exercise powers explicitly given or implied by the legislature. Without specific legislative authority, cities may not hold an advisory special election. Minnesota courts have determined that a city council has no authority to pass their decision-making power to voters when the legislature delegates that power solely to city councils."

LMC defines special election as "any city election held to fill a vacancy or on a city-specific question. Special elections may be held at the same time as the general city or state election. Alternatively, special elections may be held at other times according to state law, if the city holding the election meets the timelines and posting requirements, also found in state law. City councils cannot hold special elections on questions unless authorized to do so by state law."

To summarize, the decision whether or not to build or remodel city hall is prohibited by State Statute from being placed on the ballot.